

DECISION 2014 – 12 - 10
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Gateway IT and Travel Solutions (Pvt) Ltd.
Grd Floor, Niel Rao Towers
Plot No 118, 3rd cross EPIP Zone
Whitefield 56006, Bangalore
India
Represented by Mr. Shreyas Chandra, Manager-Corporate Planning

Respondent:

Agency Administrator, International Air Transport Association, IATA
Geneva, Switzerland
Represented by Ms. Nadya Widjaja, Manager Agency Management Asia/Pacific,
IATA, Singapore.

The Case and Decision

The Agent was terminated on 17 November 2014 for failing to pay INR 7,523 (USD 121.44) involving an ADM which was overlooked at the time of the weekly BSP settlement. Having been declared in default on 11 September 2014 the Agent claimed not to have had access to BSPlink and hence could not determine any other amounts due. After the termination date the Agent stated that a payment of INR 14,373 (USD 232.00) representing the full outstanding amount "plus fine" was made on 18 November 2014. IATA has not contested that statement.

In its evidence, IATA stated that a reminder was sent to the Agent on 29 October 2014 to make payment of the available billing in BSPlink as access thereto was open until 31 October 2014. The Agent was made aware of the billing on 12 November 2014 with a payment deadline of 13 November 2014. Absent the payment termination action was initiated.

The Agent has complied with the within 30 day time frame to seek a review detailed in sub paragraph 1.2.2.1 and as required by sub paragraph 2.3 of the same Resolution both Parties were placed on notice that in the judgment of the writer an oral hearing was not necessary and a decision would be based on the written information submitted.

Having given the Agent ample time to settle, IATA was obligated to take termination action in the situation where no payment from the Agent was evident. However, the small amount involved should not see the end of this Company's accreditation. One would

expect that this incident has taught a valuable lesson and that the Agent introduces a process that will avoid future occurrences.

Based on the foregoing therefore it is hereby decided as follows:-

1. The Agent is to be re-instated having paid any fees associated therewith.

Decided this 10th day of December 2014 in Auckland

Jorgen Foged
Travel Agency Commissioner Area 3

Notes:

1. As per Resolution 820e, Section 4, any Party has the right, if it considers itself aggrieved by this Decision, to seek review by Arbitration in accordance with the provisions of Resolution 824, Section 14.
2. The Parties are advised that according to Subparagraph 2.10 of Resolution 820e, any of them may request an interpretation of this Decision, or for a correction of any error in computation, any clerical or typographical error, or any omission in this Decision. Such request must be made within 15 days of receipt of the electronic version of this Decision.